



TO:	Board of County Commissioners
DATE:	May 7, 2024
DEPARTMENT:	County Administration
PRESENTED BY:	Judy Williams, Chief of Staff Jenna Cusimano, Community & Economic Development Management Analyst
AGENDA ITEM TITLE:	DISCUSSION & ACTION/ Charter Review Committee Recommendations

I. MOTION

To be voted on individually:

1. Move to approve taking the next steps towards revising Section 10.3.c titles and description of Commissioner Districts as recommended by the Charter Review Committee.
2. Move to approve taking the next steps towards revising Section 10.3.d and 10.3.e redistricting process and establish the Independent Redistricting Committee in the Charter as recommended by the Charter Review Committee.
3. Move to approve taking the next steps towards revising Section 35 Charter Review Committee as recommended by the Charter Review Committee.

Additionally, if desired, the Board could move to allow for a public hearing of the Charter Review Committee recommendations prior to deciding which if any of the recommendations should move forward: Move to direct staff to schedule and conduct a public hearing on the Charter Review Committee's recommendations.

Finally, the Board could determine to take no action on any one of the section revisions listed above.

II. AGENDA ITEM SUMMARY

The Charter Review Committee (CRC) presented their report and resulting recommendations to the Board on October 10, 2023. On November 8, 2023, the Board held a work session to discuss the items in further detail. This item continues the discussion on whether or not the Board wishes to take action on any of the CRC recommendations to revise sections of the Charter.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

A 1958 amendment to the Oregon Constitution reserved Oregon county voters the right to adopt charters prescribing how their county governments should be organized, what powers they should have, and what procedure they should follow in administering county affairs. The Home Rule Charter for Lane County was approved by voters in 1962.

In 2010, Lane County voters approved an amendment to the Charter directing the Board of Commissioners to convene a Charter Review Committee (CRC) for the purpose of reviewing and recommending changes or updates to the existing charter every ten years beginning in 2010.

In July 2022, the Board directed staff to begin the process of convening a Charter Review Committee and appointed the initial five members on October 11, 2022. County Counsel reviewed the CRC process as outlined in the Lane County Charter. Counsel confirmed that to remain in compliance, the CRC should complete their work within one year following their initial appointment, October 11, 2023. All relevant meeting materials of the CRC including agendas, packets, recordings, and meeting minutes are available on the Charter Review Committee webpage located at www.LaneCountyOR.gov/CharterReviewCommittee.

On October 10, 2023, the CRC presented to the Board a report with their final recommendations and proposed changes to the Charter as outlined in the Lane County Charter. Commissioners continued their discussion of the CRC recommendations in a November 2023 work session and requested to have an outline of the timeline and process should they choose to proceed with either the section repeals or revisions as recommended by the CRC which is included as Attachment B.

B. Policy Issues

According to the Lane County Charter, a Charter Review Committee is to be convened every 10 years for the purpose of reviewing and recommending changes. Per County Counsel's guidance, the committee has one year following their initial appointment to submit their recommendations to the Board. It is up to the Board to determine which, if any, of the recommended changes to the charter shall be referred to Lane County voters for approval.

C. Board Goals

The Charter serves as the foundational guide for Lane County's administration, powers, elections, personnel, finances and spending. As such, the recommendations resulting from the CRC have the ability to impact all four of the Board's strategic priorities of a (1) Safe, Healthy County, (2) Vibrant Communities, (3) Robust Infrastructure, and (4) Our People & Partnerships. The CRC recommendations most

directly connect to the equity and civic engagement components of Vibrant Communities.

D. Financial and/or Resource Considerations

While there are no significant direct financial and/or resource considerations currently, other than staff time to prepare materials, there will be financial and resource impacts if and when any measure is placed on the ballot. Additionally, for the recommended revisions, County Counsel recommends having a full legal review completed of the proposed language. It is challenging to estimate financial cost as it is so dependent on the quantity of items going onto the ballot, the timing of which election you are going for, voter pamphlet costs (if selected), and the amount of other measures on the same ballot.

An election at any other time than a primary or general (May and November of even numbered years) will have lower turnout, which could translate to lower demand on staff resources and lower overall cost. Alternately, if fewer districts participate there would be fewer entities to share the cost. Any estimated cost will always be based on the best available data but will always be approximate.

In 2012, when three items were placed onto the ballot after the Charter Review Committee process, the cost was approximately \$71,000 in total, of which, \$12,400 was allocated towards voter pamphlet costs. Since at least, 2016, the number of active voters had increased by 75,000 and printing and maintenance fees have increased by up to 20%, which would significantly increase the cost of conducting an election. In 2020, the cost for placing the Oregon State University Extension Levy on the ballot, was approximately \$28,000.

E. Health Implications

There are no significant direct health implications at this time.

F. Analysis

On October 10, 2023, the CRC presented to the Board a report with their final recommendations and proposed changes to the Charter as outlined in the Lane County Charter.

On November 8, 2023, Commissioners continued their discussion of the CRC recommendations in a work session. The recommendations and discussions were broken into three areas: 1) Charter section repeals, 2) Charter section revisions and 3) topics for further research. The Board was supportive of further dialogue regarding the repeals and revisions. The Board was not supportive of pursuing the third area (topics for further research). The Board also requested an outline of the timeline and process should they choose to proceed with either the section repeals or revisions as recommended by the CRC which is included as Attachment B.

To allow for full discussion and direction, staff has split the discussion of the CRC

recommendations into two parts; repeals to be discussed on April 30, 2024, and revisions to be discussed on May 7, 2024.

Discussion for April 30, 2024: Charter Section Repeals (Full Repeal of Existing Charter Sections):

- Section 32 – Spending Limitation
- Section 33 – East Alton Baker Park
- Section 34 – Income Tax Cap

Discussion for May 7, 2024: Charter Section Revisions (Proposed Edits to Existing Charter Sections):

- Section 10.3.c – Revise the titles and descriptions of Commissioner Districts
- Section 10.3.d and 10.3.e – Revise the redistricting process and establish the Independent Redistricting Committee in the Charter
- Section 35 – Revise the Charter Review Committee

Attachment C compares the existing Charter language to the CRC-recommended revisions with some light legal review. Should the Board wish to continue to explore the proposed revisions, County Counsel recommends completing a full legal review.

Public Hearing

In 2012, following the prior Charter Review Committee work, there was a public hearing conducted ahead of the Board approving to place Charter amendments on the ballot. However, applicable law does not require a public hearing for a Board order that refers charter amendments to the voters. The Board could hold a public hearing before deciding how to move forward with any of the CRC recommendations.

Voters' Pamphlet

If the Board considers moving forward with any charter amendments, the Board will also need to decide if materials will be prepared for the voters' pamphlet and, if so, who will prepare the materials. For Charter amendments, the Board may appoint a more "neutral" committee to draft the explanatory statement and may appoint a committee that is "in support" of the Charter amendments to prepare an argument in support of the referred Charter amendment. The County only provides a Voter's Pamphlet in odd year November Elections, so for the November 2024 election, you can submit a measure(s) and explanatory statement(s) for inclusion in the State Voters' Pamphlet for free.

G. Alternatives/Options

For each of the three CRC-recommended sections for revision, the Board can choose to:

A. Move to *approve* taking the next steps towards revising any one section.

B. Take no action on any of the sections for revision.

OR: The Board may direct staff to return for a public hearing on the proposed charter amendments ahead of a vote.

IV. RECOMMENDATION

None.

V. TIMING/IMPLEMENTATION

Should the Board vote to proceed with the revision of any of the Charter sections as recommended by the CRC, staff will move forward with a full legal review to be followed by the steps outlined in Attachment B. To be timely for the November 2024 ballot, the Board should aim to refer Charter amendments to the voters via a Board Order on or around June 2024. The ballot title has to be filed with Elections Office by August 16, 2024.

In summary, if the Board decides to refer Charter amendments to the voters, the Board must decide if materials will be prepared for the voters' pamphlet and, if so, who will prepare the materials.

If it is the Board's direction, then staff will prepare a Board order to:

- Refer the Charter amendments to the voters, and
- Direct preparation of voters' pamphlet materials (or not).

County Counsel's office will work on preparation of ballot titles.

If the Board decides not to refer Charter amendments to the voters, then no further action is required.

VI. FOLLOW-UP

If the Board opts to take action on any of the CRC recommendations, staff will follow up at the relevant points identified in Attachment B.

VII. ATTACHMENTS

- A. Charter Review Committee Report
- B. Timeline and Steps for Charter Amendments
- C. CRC Recommended Revisions

Report to the Board of Commissioners

October 10, 2023

Committee Members

Morgan H. Munro - Chair
Commissioner Trieger - Appointee

Stefan Ostrach - Vice Chair
Commissioner Berney - Appointee

Steve Cornacchia
Commissioner Bozievich - Appointee

Ben Clark
Commissioner Farr - Appointee

Jenny Jonak
Commissioner Buch - Appointee

Sarai Johnson
At Large

Kevin Cronin (through July 10, 2023)
Jeremy Sherer (from July 18, 2023)
At Large



Executive Summary

The Lane County Charter Review Committee was established pursuant to the Lane County Charter, Section 35 to review the current charter and report back to the Board of County Commissioners no later than October 11, 2023.

The initial committee of five members appointed by each of the County Commissioners first met on November 2, 2022. At this meeting, the five initial committee members discussed the applicants to the committee and recommended two candidates to serve as at-large members. The County Commissioners appointed these members to the committee. The seated committee met to review and update the Charter Review Committee Bylaws. The Bylaws were approved by the Board of Commissioners on February 28, 2022. At this February meeting, the Board of Commissioners were also presented a work plan for the Charter Review Committee. In July 2023, at-large committee member Kevin Cronin resigned and the Board of Commissioners appointed Jeremy Sherer to serve in that at-large committee seat.

The Committee sought input from the general public, as well as County staff. The Committee hosted public comment opportunities at every meeting and convened two community-wide surveys. County staff members who presented to the committee include: Lane County Administrator, Steve Mokrohisky; Lane County Sheriff, Cliff Harrold; Lane County Assessor, Mary Vuksich-Shafer; Lane County Clerk, Dena Dawson; Lane County Policy Director, Steve Adams; Lane County Equity Manager, Latiffe Amado; and Lane County Budget Manager, Christine Moody. County staff did not identify any Charter provision which was adversely limiting administrative options but did identify Charter provisions they found outdated.

The Committee's report consists of Issue Papers written on each of the issues voted on during the review of the Charter. Committee recommendations fall into the following categories:

1. Charter amendments recommended for placement before voters. These are issues for which the Committee recommends that ballot measures be developed.

Issue #1: Section 10.3.c, Revise the titles and descriptions of Commissioner Districts

Issue #2: Sections 10.3.d and 10.3.e, Revise the Redistricting process and establish the Independent Redistricting Committee in the Charter

Issue #3: Repeal Section 32: Spending Limitation

Issue #4: Repeal Section 33: East Alton Baker Park

Issue #5: Repeal Section 34: Income Tax Cap

Issue #6: Section 35: Revise the Charter Review Committee

2. Issues which are recommended not to be pursued. These are issues which the Committee considered and decided not to recommend changes.

Issue #7: Section 4: should Eugene be retained as the County seat

Issue #8: Section 14: should the Chair of the Board of Commissioners continue to be selected by Commissioners or instead by direct election

Issue #9: 26: should the Charter retain Section 26: Merit System

3. Issues which the Committee felt may warrant further study. The committee determined that these issues would warrant further study before any recommendations could be made.

- A. Issue #10: Whether campaign finance limits should be established
- B. Issue #11: Section 1: Whether to retain the county name
- C. Issue #12: Section 19: Whether to change which positions are directly elected and which are appointed
- D. Issue #13: Whether some means of ranked choice voting should be adopted

It should be noted that because of a Charter required deadline of October 11, 2023 for submission of this report, there has been no opportunity for public input regarding any of the recommendations contained in this Report prior to publishing the Report. The Charter explicitly contemplates up to two years of service for the Committee, so the Committee is ready and willing to follow up on issues as requested by the County Commissioners.

Overall Recommendations

The Committee recommends that County legal staff be directed to review this report and committee recommendations.

The Committee believes that additional effort on this undertaking may be warranted and stands ready to extend its service at the behest of the Board of Commissioners.

2023 Charter Review Committee

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Issue Paper #1: Section 10.3.c

Issue: Whether the geographic titles and descriptions of County Commissioner Districts should be retained or amended

Discussion: In the most recent redistricting effort concerns were raised by multiple committee members that due to highly concentrated population growth within the Urban Growth Boundary (UGB), the current Commissioner District definitions within the Charter were increasingly challenging to follow while also honoring state and federal requirements. Lane County CRC member Munro provided background information that the Independent Redistricting Committee expressed concern with both the titles of the Commissioner Districts as well as the definitions provided within the Charter.

The CRC members generally agreed upon the importance of retaining the intent of preserving commissioner representation from outside of the Eugene/Springfield metro area. The committee also generally acknowledged that due to population growth being concentrated within the UGB that portions of the Eugene/Springfield metro had been included in each of the five Commissioner districts. The CRC also heard from community members who were confused about the naming conventions of the Commissioner districts.

Recommendation: The Committee recommends that Commissioner Districts be identified solely by number and that geographic references be removed from district titles. The CRC further recommends that district definitions be revised as follows:

Section 10: Membership, Election, and Tenure

(3) The board of county commissioners shall be elected as follows.

(c) For the purpose of this Section, metropolitan area shall be defined as the area within the urban growth boundaries of Eugene and Springfield. The following election districts shall be established from which the commissioners shall be elected:

- (i) District No. 1, generally comprised of western Lane County outside the metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).
- (ii) District No. 2, generally comprised of the Springfield metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).
- (iii) District No. 3, generally comprised of a portion of the Eugene metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).
- (iv) District No. 4, generally comprised of a portion of the Eugene metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).

(v) District No. 5, generally comprised of eastern Lane County outside the metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).

Issue Paper #2: Sections 10.3.d and 10.3.e

Issues: Whether to add an Independent Redistricting Committee (IRC) to the redistricting process and whether to limit how often redistricting may occur

Background: In 2021, an Independent Redistricting Committee (IRC) was adopted by ordinance and established in Lane Code. Each redistricting cycle, the IRC is tasked with bringing forward 2-4 recommended maps to the Board of Commissioners and then the Board selects one of the recommended maps.

The Charter states that "The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and boundaries when necessary." This allows for the possibility of multiple redistricting efforts within each decennial.

Discussion: The Committee discussed the merits of enshrining an IRC within the Charter versus leaving the IRC entirely within Lane Code. Additionally, there was much discussion about where the authority and responsibility for redistricting should reside. The Charter assigns the work of redistricting to the Board of Commissioners, and the Commissioners have recently tasked the IRC with drafting recommended maps while reserving for the Board of Commissioners the task of determining which map to move forward.

The committee was split on this topic with a majority in support of these recommendations and a minority in opposition. Those in opposition were interested in fully retaining the responsibility and authority for redistricting with the Board of Commissioners and maintaining the IRC within Lane Code.

Recommendation: The Committee recommends replacing Sections 10.3.d and 10.3.e with the following:

d) In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn so as not to deny any person equal protection of the law. Every 10 years, in conjunction with the release of Federal Census Data, the board of commissioners shall initiate a review of the population of each district and determine if a modification of boundaries is necessary to ensure equal protection under the law. If so, an Independent Redistricting Committee shall be convened. No boundary creation, position designation, or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.

e) Each Independent Redistricting Committee (IRC) shall be established as follows:

- i) The IRC shall be composed of fifteen (15) Regular and three (3) Alternate members.
- ii) The application process shall be laid out in Lane Code. From the applicant pool, each commissioner will select one (1) member to serve as a Regular member of the IRC. The five (5) directly appointed Regular members will select the remaining ten (10) Regular and three (3) Alternate committee members from the applicant pool.

- iii) The IRC will hold at least ten (10) public meetings at times and locations that will reasonably maximize access for all county residents to participate.
- iv) The IRC will prepare at least two (2) but not more than four (4) proposed redistricting plans. The proposed plans must comply with relevant laws relating to redistricting and voting rights. Following a series of no fewer than five (5) public meetings, the IRC will select one (1) plan.
- v) The Board of Commissioners must adopt the plan selected by the IRC in the form of an ordinance. District boundaries shall be adopted at least six months prior to any election for which they are to be effective.

Issue Paper #3: Section 32

Issue: Should Section 32: Spending Limitation be removed in full

Background: Section 32: Spending Limitation was established prior to current state laws and practices that govern spending by the county. Additionally, many terms used within this section are out of date and have shifted in meaning since this provision was included in the Charter.

Discussion: The Committee discussed this provision and determined that this section serves no modern purpose for the County. Additionally, the County is out of compliance with some elements of this provision as they are past practices that are no longer applicable. The committee agreed that this provision serves largely as a historical artifact and provides no or minimal value to the county.

Recommendation: The Committee determined that Section 32: Spending Limitation should be repealed.

Note: The 2011 Charter Review Committee also recommended that Section 32 (then Section 35) be repealed (see page 25 of the 2011 CRC Report).

Issue Paper #4: Section 33

Issue: As the County no longer owns or controls East Alton Baker Park should this provision be repealed?

Background: This provision about East Alton Baker Park was established when the county still owned this land. This land has been sold to the City of Eugene.

Discussion: The Committee discussed repealing this provision and determined that the primary value of retaining this section would be as a historical artifact. As this provision serves little purpose and also with the awareness that developable land within the Urban Growth Boundary may benefit from greater flexibility governing its use, the committee largely agreed that this provision served little purpose for the county.

Recommendation: The Committee determined that Section 33: East Alton Baker Park should be repealed.

Issue Paper #5: Section 34

Issue: Is there a value to retaining the Income Tax cap when we do not have a county level income tax?

Background: This provision of the Charter was established at the same time that a companion provision to create a county level income tax was voted down. Thus, we have a provision that restricts how an income tax would be used but no county level income tax.

Discussion: The Committee discussed this provision and determined that there is no current need to restrict how a non-existent tax will be spent. The committee further discussed that any future implementation of an income tax would be best served by the opportunity to define and determine parameters that suit that moment.

Recommendation: The Committee determined that Section 34: Income Tax Cap should be repealed.

Note: The 2011 Charter Review Committee also recommended that Section 34 (then Section 37) be repealed (see page 27 of the 2011 CRC Report).

Issue Paper #6: Section 35

Issue: The dates specified within this provision relate largely to the 2011 Committee and haven't aged well. Additionally, constraining the work of the Charter Review Committee (CRC) to one year limits the effectiveness of this effort.

Discussion: The Committee determined that this provision includes very specific historical dates that are unnecessary going forward. The Committee also found that a one year limit on the work of the committee reduced opportunities to engage with the public and seek input as well as reduced opportunities for the committee to engage more deeply with the Charter and possible recommendations.

Recommendation: The Committee determined that Section 35: Charter Review Committee should be replaced with the following:

Section 35. CHARTER REVIEW COMMITTEE. Every ten years, beginning in 2034, the Board of County Commissioners shall convene a Charter Review Committee to review the existing charter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.

- (1) Membership. The Charter Review Committee shall consist of seven members. Each member of the Board of County Commissioners shall appoint a member to each subsequent charter review committee by July 1st of the year that each subsequent committee is convened. The five members of the committee appointed by the individual commissioners shall nominate additional persons to fill two at-large positions. At-large appointees shall be appointed by the Board of Commissioners as a whole. The member of the Committee shall serve at the will of the appointing Commissioner(s), but for no longer than two (2) years from the date of appointment, or until the assigned tasks have been accomplished. Subsequent Charter Review Committees shall be appointed in the same manner every 10 years.
- (2) Timeframe. Members shall immediately begin meeting to review the current Charter, and shall report back to the Board of County Commissioners with recommendations for any suggested changes no later than two years from the date each subsequent committee is convened.

Issue Paper #7: Section 4

Issue: Should Eugene remain the county seat?

Discussion: The Committee discussed the potential for moving the county seat out of Eugene. The Committee did not find that there was significant public interest or justification to do so.

Recommendation: The Committee determined that Eugene should remain the county seat and that no changes should be made to Section 4: County Seat.

Issue Paper #8: Section 14

Issue: Some counties directly elect the Chair of their Board of Commissioners, would this benefit Lane County?

Discussion: The Committee looked into other Oregon county charters to learn how they select their Board Chair. Among the counties that directly elect a Board Chair, the Board Chair role was often a blend between a facilitative peer leader (Lane County's current model) and the work of a county administrator. The directly elected Board Chairs were elected county-wide and also often served for different lengths of term than the general Board members.

The Committee discussed the value of the Board of Commissioners selecting their own chair, the rotating nature of this role, and the benefit of each district potentially having their representative serve as Chair.

Recommendation: The Committee determined that the Board of Commissioners should retain the opportunity to select their own chair and no changes should be made to Section 14: Board Chair.

Issue Paper #9: Section 26

Issue: Would retaining a Merit system be at odds with current HR practices and rules?

Discussion: The Committee learned that the term "Merit System" refers to old fashioned terms and practices where people were employed based on either a Merit or Spoils system. Under a Spoils system, jobs were given as favors to allies and family members of elected and appointed leaders. Under a Merit system, people are hired based on their qualifications and preference is not given to friends, allies, or family members of elected leaders or current staff.

Recommendation: The Committee determined that no changes should be made to Section 26: Merit System

Issue Paper #10: Whether campaign finance limits should be established and enshrined in the Charter

Issue: Community members expressed strong interest in establishing Campaign Finance limits in Lane County

Background: There was strong support in the two community surveys this Committee conducted for the establishment of Campaign Finance limits.

Discussion: The Committee discussed the potential for Campaign Finance limits. This topic was found to be highly complex and nuanced. The Committee recognized that the State has been discussing establishing Campaign Finance limits and that action at the state level would need to be taken into account with any local limits.

Recommendation: The Committee determined that this topic may warrant further study if the community or the Commissioners want to look into it further.

Issue Paper #11: Section 1

Issue: Should the county continue to be named Lane County or should we change our name?

Background: Over the years, a growing number of community members have expressed interest in changing the name of this county. The Board of Commissioners discussed the potential to establish a committee or group to look into this topic but took no further action.

Discussion: The Committee received strong public input on either side of this topic. The Committee discussed the reasons to change the county name and also reasons to retain the name. The Committee also discussed potential alternative names for the county, were a change to be made. There was no consensus on whether to retain or change the county name nor was there consensus on what alternate names might be.

Recommendation: The Committee determined that this topic may warrant further study if the community or the Commissioners want to look into it further.

Issue Paper #12: Section 19

Issue: Whether to change which positions are directly elected and which are appointed

Background: The Lane County Commissioners, the Sheriff, and the Assessor are directly elected positions within our local government. The County Administrator, the Clerk, and other positions within the county are hired by the Board of Commissioners or by staff within the county.

Discussion: The Committee discussed the possibility to move any of the currently elected positions to appointment. The Committee also discussed the possibility to move any of the currently appointed positions to direct election. Concerns were raised that shifting the currently elected positions to appointments could create potential conflicts of interest. Additionally, strong support was expressed for keeping these positions directly elected rather than appointed.

Recommendation: The Committee determined not to recommend that any of the currently elected positions move to appointments.

The Committee also determined that moving appointed positions to direct election may warrant further study if the community or the Commissioners want to look into it further.

Issue Paper #13: Whether some means of ranked choice voting should be adopted

Issue: Whether a means of ranked choice voting should be used as an election method for Lane County elections.

Background: Ranked choice voting means an election method in which voters rank candidates for an elected office in order of the voter's preference. Currently, Lane County elections only allow a voter to select a single choice on a ballot.

Discussion: There are different types of ranked choice voting, including STAR voting, ranked choice voting that occurs in rounds, and "instant runoff" ranked choice voting where the votes are measured in a manner to determine a winner without engaging in multiple rounds of voting. Ranked choice voting can also occur in "single winner" versus "multi-winner" elections.

Recommendation: The Committee felt that this issue was too complex and would require community engagement in order to advance a recommendation within the time limits of when this report was due. This issue may warrant further study if the community or the Commissioners want to look into it further.

Recommendations for Future Charter Review Committees

For the next Charter Review Committee, this Committee had some recommendations that might assist the future Committee with its work:

- In one of the first meetings where the entire future Committee convenes, have a presentation by staff to explain the differences between the Lane County Charter, Lane Code, and Administrative Rules (AR's) so that a future Committee appreciates what may be covered by each.
- Set an early timeline and get input from staff on that timeline. Include in the timeline community engagement that the Committee may wish to obtain regarding the Charter.
- Meaningful community engagement requires a significant amount of time, staff dedication and resources. It may make sense to allocate specific resources to a future Committee to ensure that it can conduct meaningful community engagement.
- Specific types of community engagement that a future Committee may want to consider include: surveys, community listening sessions, zoom meetings where the public can learn more about the Charter, advertising within community networks particularly in rural areas (such as rural newsletters, newspapers, chambers of commerce, etc.), and pairing up with non-profits in Lane County for greater outreach.

Timeline and Steps for Charter Amendments

After the Charter Review Committee (CRC) - established in the Lane County Charter (Charter), Section 35 - presents its report and recommendations to the Board, the Board will need to direct staff on next steps.

Options include:

- A. Direct staff to return for a public hearing on the proposed charter amendments.

A public hearing is not expressly required for a charter amendment but is required in the first instance of a charter adoption. ORS 203.760. Lane Code does not require a public hearing, but it may be advisable to hold a public hearing to receive public input on the recommendations.

- B. After a public hearing (or not), the Board will decide whether to refer Charter amendments, as proposed by CRC or as revised by the Board, to the voters of the County.
- C. If the Board decides to refer Charter amendments to the voters, the Board must decide if materials will be prepared for the voters' pamphlet and, if so, who will prepare the materials.
- D. If it is the Board's direction, then staff will prepare a Board order to:
 - i. Refer the Charter amendments to the voters, and
 - ii. Direct preparation of voters' pamphlet materials (or not).

County Counsel's office will work on preparation of ballot titles.

- E. If the Board decides not to refer Charter amendments to the voters, then no further action is required.

ADDITIONAL INFORMATION:

Board Referral of Charter Amendments

A Board order to refer the Charter amendments to the voters will need to be adopted on or around June 2024 to be timely for the November 2024 ballot. That is conservative and in line with LC 2.045.035 A. State law allows the order to be issued not less than 90 days prior to the next election.

LC 2.045.035 – Board Referral of Charter Revision.

The Board may order not less than 120 days prior to any regular primary or general election to refer Charter amendments to the voters of the County.

Voters' Pamphlet

LC 2.045.015 provides that the Board *may* by order direct that measures with respect to Charter amendments be included in the voters' pamphlet. The same LC section sets out required steps if the Board chooses this step.

- A. Committee for drafting explanatory statement.
- B. Note that for Charter amendments, the Board may appoint a more "neutral" committee to draft the explanatory statement and may appoint a committee that is "in support" of the Charter amendments to prepare an argument in support of the referred Charter amendment. LC 2.045.040 B.
- C. Costs are potentially associated with this. (As an example, the 2012 materials indicate that the cost was \$12,400.)

General Notes

LC 2.045.005 includes "amendment of the Charter" in the definition of "County Legislation."

Unless modified by Lane Code, the County follows state law procedures for the adoption of Charter amendments. LC 2.045.010 A; ORS 203.710 et seq.; ORS 250.155 et seq.

Issue #1: Section 10.3.c, Revise the title and descriptions of Commissioner Districts

MOTION: Move to direct staff to bring back revised language according to the CRC recommendations and further legal review for Board review and action.

Current Section 10.3.c.	CRC Recommended Revisions (+ light legal review/comment)
<p>Section 10: Membership, Election, and Tenure</p> <p>****</p> <p>(3) The board of county commissioners shall be elected as follows.</p> <p>***</p> <p>(c) The following election districts shall be established from which the commissioners shall be elected:</p> <p>(i) The West Lane County District, generally comprised of western Lane County outside the metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 1.</p> <p>(ii) The Springfield District, generally comprised of the Springfield metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 2.</p> <p>(iii) The South Eugene District, generally comprised of the southern Eugene metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 3.</p> <p>//</p> <p>//</p> <p>//</p>	<p>Section 10: Membership, Election, and Tenure</p> <p>***</p> <p>(3) The board of county commissioners <u>wi</u>shall be elected as follows.</p> <p>***</p> <p>(c) For the purpose of this Section, metropolitan area <u>is</u>shall be defined as the area within the urban growth boundaries of Eugene and Springfield. The following election districts <u>wi</u>shall be established from which the commissioners shall be elected:</p> <p>(i) District No. 1, generally comprised of western Lane County outside the metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).</p> <p>(ii) District No. 2, generally comprised of the Springfield metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).</p> <p>(iii) District No. 3, generally comprised of a portion of the Eugene metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).</p>

<p>(iv) The North Eugene District, generally comprised of the northern Eugene metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 4.</p> <p>(v) The East Lane County District, generally comprised of eastern Lane County outside the metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 5.</p>	<p>(iv) District No. 4, generally comprised of a portion of the Eugene metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).</p> <p>(v) District No. 5, generally comprised of eastern Lane County outside the metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).</p>
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Issue #2: Sections 10.3.d and 10.3.e, Revise the Redistricting process and establish the Independent Redistricting Committee in the Charter

MOTION: Move to direct staff to bring back revised language according to the CRC recommendations and further legal review for Board review and action.

Current Section 10.3.d. and 10.3.e.	CRC Recommended Revisions (+ light legal review/comment)
<p>d) In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn by the board of commissioners so as not to deny any person equal protection of the law. The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and modify boundaries when necessary. No boundary creation, position designation or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.</p> <p>e) The board of commissioners shall adopt by ordinance the district boundaries as required by subsection (d) above. District</p>	<p>d) In accordance with Federal, State, or County census figures, the boundaries of the five districts wishall be drawn so as not to deny any person equal protection of the law. Every 10 years, in conjunction with the release of Federal Census Data, the board of commissioners wishall initiate a review of the population of each district and determine if a modification of boundaries is necessary to ensure equal protection under<u>of</u> the law. If so, an Independent Redistricting Committee shall be convened. No boundary creation, position designation, or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.</p> <p>e) Each Independent Redistricting Committee (IRC) shall be established as follows:</p>

boundaries shall be finally adopted at least six months prior to any election for which they are to be effective.

i) The IRC shall be composed of fifteen (15) Regular and three (3) Alternate members.

ii) The application process for IRC membership ~~wi~~shall be described ~~laid out~~ in Lane Code. From the applicant pool, each ~~—~~commissioner will select one (1) member to serve as a Regular member of the IRC. The five (5) directly appointed Regular members will select the remaining ten (10) Regular and three (3) Alternate committee members from the applicant pool.

iii) The IRC will hold at least ten (10) public meetings at times and locations that will reasonably maximize access for all county residents to participate.

iv) The IRC will prepare at least two (2) but not more than four (4) proposed redistricting plans. The proposed plans must comply with relevant laws relating to redistricting and voting rights. Following a series of no fewer than five (5) public meetings, the IRC will select one (1) plan.

v) The Board of Commissioners must adopt the plan selected by the IRC in the form of an ordinance. District boundaries shall be adopted at least six months prior to any election for which they are to be effective.

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Issue #6: Section 35: Revise the Charter Review Committee

MOTION: Move to direct staff to bring back revised language according to the CRC recommendations and further legal review for Board review and action.

Current Section 35	CRC Recommended Revisions (+ light legal review/comment)
<p>Section 35. CHARTER REVIEW COMMITTEE. Every ten years, beginning in 2011, the Board of County Commissioners shall convene a Charter Review Committee to review the existing charter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.</p> <p>(1) Membership. Each member of the Board of County Commissioners shall appoint a member to the Charter Review Committee by July 1, 2010. The appointees to the Charter Review committee shall nominate additional persons to fill two at- large positions. At-large appointees shall be appointed by the Board of Commissioners as a whole. The members of the Committee shall serve at the will of the appointing Commissioner(s), but for no longer than two (2) years from the date of appointment, or until the assigned tasks have been accomplished. Subsequent Charter Review Committees will be appointed in the same manner every 10 years.</p> <p>(2) Timeframe. Members shall immediately begin meeting to review the current Charter, and shall report back to the Board of County Commissioners with recommendations for any suggested changes no later than July 1, 2011 and every ten (10) years thereafter.</p>	<p>Section 35. CHARTER REVIEW COMMITTEE. Every ten years, beginning in 2034, the Board of County Commissioners will<u>shall</u> convene a Charter Review Committee (<u>CRC</u>) to review the existing <u>C</u>harter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.</p> <p>(1) Membership. The <u>CRC</u>Charter Review Committee will<u>shall</u> consist of seven members. Each member of the Board of County Commissioners wi<u>shall</u> appoint a member to each subsequent <u>CRC</u>charter review committee by July 1st of the year that each subsequent <u>CRC</u>committee is convened. The five members of the <u>CRC</u>committee appointed by the individual commissioners wi<u>shall</u> nominate additional persons to fill two at-large positions. At-large appointees wi<u>shall</u> be appointed by the Board of Commissioners as a whole. The members of the <u>CRC</u>committee will<u>shall</u> serve at the will of the appointing Commissioner(s), but for no longer than two (2) years from the date of appointment, or until the assigned tasks have been accomplished. Subsequent <u>CRCs</u>Charter Review Committees wi<u>shall</u> be appointed in the same manner every 10 years.</p> <p>(2) Timeframe. <u>CRC m</u>Members will<u>shall</u> immediately begin meeting to review the current Charter, and wi<u>shall</u> report back to the Board of County Commissioners with recommendations for any suggested changes no later than two years from the date each subsequent <u>CRC</u>committee is convened.</p>



Review and Discuss Charter Review Committee Repeal Recommendations

May 7, 2024

Agenda

- Overview of CRC Process (Timeline)
 - Potential Next Steps Today
 - Next Steps After Today
 - Sections recommended for Revision
 - Titles and descriptions of Commissioner Districts
 - Independent Redistricting Committee in the Charter
 - Charter Review Committee
 - Discussion and Decision
-

CRC Process

October 11, 2022: Initial 5 committee members appointed

December 6, 2022: Outstanding 2 committee members appointed

December-October 2023: CRC meets bi-monthly, engaging staff and conducting public outreach

October 11, 2023: CRC presents final report and recommendations to Board

November 8, 2023: Board Work Session on CRC recommendations

April 30, 2024: Board to discuss CRC repeal recommendations

May 7, 2024: Board to discuss CRC revision recommendations

October 11, 2024: CRC term ends

Potential Next Steps - Today

Direct staff to move Charter Revision amendment (s) forward (or not). If moving forward: Three individual motions.
Board Order to place on the ballot to follow.

If moving forward: Discuss if voters' pamphlet is desired (and who may prepare materials).

Direct staff to conduct a Public Hearing prior to decisions today **OR** prior to moving specific amendment (s) on the ballot.

Next Steps - After Today

Public Hearing *Option 1* [before decision to move any amendment(s) forward]. June 11th or June 25th.

County Counsel will begin preparing materials for draft ballot title (Title, Caption, Question and Summary). * Legal Review of Revisions

Public Hearing *Option 2* [before referring any specific amendment(s) forward]. June 11th or June 25th.

Board Order/ In the Matter of Referring to Election __ Amendment(s) to the Lane County Home Rule Charter and Directing that the Measure be Placed in the Voters' Pamphlet (if applicable). June 11th or June 25th.

If voters' pamphlet is desired: **Board Order /** In the Matter of Appointing a __ person committee for drafting an impartial, simple and understandable explanatory statement for the Charter amendments. June 25th or July 9th.

Ballot Titles to be filed with Elections Office by August 16, 2024. Await challenge period.

Voters' Pamphlet deadline is Noon on August 27, 2024.

Measure Filing Form (SEL 801) due no later than September 5, 2024.

Issue Paper # 1: Revise the titles and descriptions of Commissioner Districts, Section 10.3.c.

Issue Paper # 2: Revise the Redistricting process and establish the Independent Redistricting Committee in the Charter, Sections 10.3.d and 10.3.e.

Issue Paper # 6: Revise the Charter Review Committee, Section 35.

**Recommended
Charter
Revisions**

CRC Recommendation:

Revise titles and descriptions of Commissioner Districts, Section 10.3.c,

Background:

- Highly concentrated population growth within the Urban Growth Boundary made the current Commissioner District definitions challenging to follow while also honoring state and federal requirements in recent redistricting effort.
- Geographic associations with the titles of Commissioner Districts also raised concerns with the IRC.

Discussion:

- Agreement upon the importance of retaining the intent of preserving commissioner representation from outside of the Eugene/Springfield metro area.
- Due to concentration of population growth, portions of the Eugene/Springfield metro had been included in each of the five Commissioner districts.
- The CRC also heard from community members who were confused about the naming conventions of the Commissioner districts.

Titles / Descriptions (Current and Recommended)

Current

- (i) The **West Lane County** District, generally comprised of western Lane County outside the metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 1.
 - (ii) The **Springfield** District, generally comprised of the Springfield metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 2.
 - (iii) The **South Eugene** District, generally comprised of the southern Eugene metropolitan area. Except as otherwise provided in this charter, the commissioner elected from this district shall fill Position No. 3.
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Recommended

- i. District No. 1, generally comprised of **western Lane County** outside the metropolitan area, but also including contiguous portions of the County as necessary to comply with subsection (d).
- ii. District No. 2, generally comprised of the **Springfield metropolitan area**, but also including contiguous portions of the County as necessary to comply with subsection (d).
- iii. District No. 3, generally comprised of a portion of the **Eugene metropolitan area**, but also including contiguous portions of the County as necessary to comply with subsection (d).

CRC Recommendation:

Revise the Redistricting process and establish the Independent Redistricting Committee in the Charter, Sections 10.3.d and 10.3.e

Background:

- In 2021, an Independent Redistricting Committee (IRC) was adopted by ordinance and established in Lane Code.
- The IRC is tasked with recommending 2-4 maps for the Board of Commissioners to select from.
- The Charter states, "The board of commissioners shall, not less than every 10 years, initiate review of the population densities of each district and boundaries when necessary." This allows for the possibility of multiple redistricting efforts within each decennial.

Discussion:

- Merits of IRC within Charter vs Lane Code.
- Where should authority & responsibility for redistricting reside?
- The Charter assigns the work of redistricting to the Board of Commissioners. Commissioners tasked the IRC with drafting recommended maps while reserving the right to determine which map to move forward.

Current
Charter
language
from Section
10.3.d:

(d) In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn **by the board of commissioners** so as not to deny any person equal protection of the law. The board of commissioners shall, **not less than every 10 years**, initiate review of the population densities of each district and **modify boundaries when necessary**. No boundary creation, position designation or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.

CRC
Recommended
to replace
Section 10.3.d
with the
following:

d) In accordance with Federal, State, or County census figures, the boundaries of the five districts shall be drawn so as not to deny any person equal protection of the law. Every 10 years, in conjunction with the release of Federal Census Data, the board of commissioners shall initiate a review of the population of each district and determine if a modification of boundaries is necessary to ensure equal protection under the law. If so, an Independent Redistricting Committee shall be convened. No boundary creation, position designation, or boundary change shall disqualify a commissioner from completing the term of office to which that commissioner was elected or appointed.

**Current
Charter
language
from Section
10.3.e:**

(e) The board of commissioners shall adopt by ordinance the district boundaries as required by subsection (d) above. District boundaries shall be finally adopted at least six months prior to any election for which they are to be effective.

CRC
Recommended
to replace
Section 10.3.e
with the
following:

e) Each Independent Redistricting Committee (IRC) shall be established as follows:

i) The IRC shall be composed of fifteen (15) Regular and three (3) Alternate members.

ii) The application process shall be laid out in Lane Code. From the applicant pool, each commissioner will select one (1) member to serve as a Regular member of the IRC. The five (5) directly appointed Regular members will select the remaining ten (10) Regular and three (3) Alternate committee members from the applicant pool.

iii) The IRC will hold at least ten (10) public meetings at times and locations that will reasonably maximize access for all county residents to participate.

iv) The IRC will prepare at least two (2) but not more than four (4) proposed redistricting plans. The proposed plans must comply with relevant laws relating to redistricting and voting rights. Following a series of no fewer than five (5) public meetings, the IRC will select one (1) plan.

v) The Board of Commissioners must adopt the plan selected by the IRC in the form of an ordinance. District boundaries shall be adopted at least six months prior to any election for which they are to be effective.

The IRC Currently resides in the Lane Code – Review of Policy Documents

Policy Document	How it's Approved
Administrative Procedures Manual (APM)	Reviewed by Management Team and approved by County Administrator.
Lane Manual	Reviewed by Management Team and applicable committees and Approved by Board of Commissioners.
Lane Code	Ordinance 1 st reading, Public Hearing and Ordinance 2 nd reading and approved by the Board of Commissioners.
Charter	Board of Commissioners approve measure on ballot (staff process), Measure goes to the voters for approval.

CRC Recommendation:

Revise the Charter Review Committee , Section 35

Background:

- The dates specified within this provision relate largely to the 2011 Committee and haven't aged well.
- The current language allows for only one year for the Committee to provide their recommended changes.
- Constraining the work of the Charter Review Committee (CRC) to one year limits the effectiveness of this effort.

Discussion:

- Very specific historical dates are unnecessary going forward.
- A one-year limit on the work of the committee reduced opportunities to engage with the public and seek input as well as reduced opportunities for the committee to engage more deeply with the Charter and possible recommendations.

Current Charter language from Section 35:

Section 35. CHARTER REVIEW COMMITTEE. Every ten years, **beginning in 2011**, the Board of County Commissioners shall convene a Charter Review Committee to review the existing charter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.

(1) Membership. Each member of the Board of County Commissioners shall appoint a member to the Charter Review Committee by July 1, **2010**. The appointees to the Charter Review committee shall nominate additional persons to fill two at- large positions. At-large appointees shall be appointed by the Board of Commissioners as a whole. The members of the Committee shall serve at the will of the appointing Commissioner(s), but for no longer than two (2) years from the date of appointment, or until the assigned tasks have been accomplished. Subsequent Charter Review Committees will be appointed in the same manner every 10 years.

(2) Timeframe. Members shall immediately begin meeting to review the current Charter and shall report back to the Board of County Commissioners with recommendations for any suggested changes no later than **July 1, 2011 and every ten (10) years thereafter**.

CRC Recommendation: replace Section 35 with the following:

Section 35. CHARTER REVIEW COMMITTEE. Every ten years, **beginning in 2034**, the Board of County Commissioners shall convene a Charter Review Committee to review the existing charter and make recommendations to the Board of County Commissioners regarding suggested changes to the Charter.

(1)Membership. The Charter Review Committee shall consist of seven members. Each member of the Board of County Commissioners shall appoint a member to each subsequent charter review committee by July 1st of the year that each subsequent committee is convened. The five members of the committee appointed by the individual commissioners shall nominate additional persons to fill two at-large positions. At-large appointees shall be appointed by the Board of Commissioners as a whole. The member of the Committee shall serve at the will of the appointing Commissioner(s), but for no longer than two (2) years from the date of appointment, or until the assigned tasks have been accomplished. Subsequent Charter Review Committees shall be appointed in the same manner every 10 years.

(2)Timeframe. Members shall immediately begin meeting to review the current Charter and shall report back to the Board of County Commissioners with recommendations for any suggested changes **no later than two years** from the date each subsequent committee is convened.

Discussion & Decision

Direct staff to move Charter Repeal amendment (s) forward (or not).
If moving forward: Three individual motions.
Board Order to place on the ballot to follow.

If moving forward: Discuss if voters' pamphlet is desired (and who may prepare materials).

Direct staff to conduct a Public Hearing prior to decisions today **OR**
prior to moving specific amendment (s) on the ballot.
